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#5

In re Application of  
ISABELLE BARA  
U.S. Appl. No.: 09/763,085  
PCT No.: PCT/FR00/01576  
Int. Filing Date: 08 June 2000  
Priority Date: 18 June 1999  
Applicant's or Agent's File Reference: 05725.0852  
For: AQUEOUS SOLID GEL COMPRISING A  
HYDROPHILIC GELLING AGENT, A  
CELLULOSE DERIVATIVE AND PIGMENTS  
AND/OR MOTHER-OF-PEARLS AND USES  
THEREOF

NOTIFICATION

This application is before the PCT Legal Office for consideration of issues arising under the PCT.

**BACKGROUND**

On 16 February 2001, applicant filed U.S. application 09/763,085 with the United States Designated/Elected Office (DO/EO/US) as a national stage entry of international application PCT/FR00/01576, which claimed a priority date of 18 June 1999. A signed oath/declaration was not included with the application papers.

On 30 March 2001, the DO/EO/US mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905) informing applicant that a signed oath or declaration of the inventor in compliance with 37 CFR 1.497(a) and (b) and a surcharge in the amount of \$130 was due within one month from the mailing date of the Form PCT/DO/EO/905 to complete the requirements for acceptance under 35 U.S.C. 371.

On 30 April 2001, applicant filed a response to the Form PCT/DO/EO/905 above by

furnishing a signed declaration and the surcharge in the amount of \$130.

On 30 April 2001, the DO/EO/US mailed a "NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495" (Form PCT/DO/EO/903) which incorrectly indicated that the date of receipt of all 35 U.S.C. 371 requirements was 02 March 2001.

### DISCUSSION

A review of the application file and the response filed 30 April 2001 reveals that applicant met the requirements of 35 U.S.C. 371 for U.S. national stage entry on 30 April 2001. Therefore, the Form PCT/DO/EO/903 above incorrectly indicated that the date of receipt of all 35 U.S.C. 371 requirements was 02 March 2001. The issuance of a corrected Form PCT/DO/EO/903 indicating that 30 April 2001 is the date of receipt of all 35 U.S.C. requirements is appropriate.

### CONCLUSION

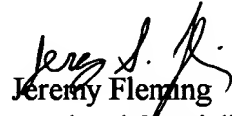
Accordingly, the Form PCT/DO/EO/903 mailed 30 April 2001 is hereby VACATED.

This application is being returned to the DO/EO/US for issuance of a corrected Form PCT/DO/EO/903 indicating a 30 April 2001 date of receipt of all 35 U.S.C. 371 requirements.



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